

ORIGINAL

June 6, 2024

MEMO ENDORSED

Via ECF

Hon. Louis L. Stanton
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

FDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: <u>6/7/24</u>

RE: *The City of New York v. Magellan Technology, et al.*, No. 23-5880-LLS-OTW

Dear Judge Stanton:

We represent Defendants Magellan Technology, Inc., Ectoworld, LLC d/b/a Demand Vape, Matthew J. Glauser, Mahant Krupa 56 LLC, Nikung Patel, and Devang Koya (collectively, "Defendants"), in the above-referenced matter. We write, with Plaintiff's consent, pursuant to Individual Practice Rules 1.A and 1.E, and L.R. 7.1(d), to request a fourteen (14) day extension of time from June 7, 2024, to June 21, 2024, for Defendants to file their answers to Plaintiff's Amended Complaint [ECF No. 20] and to file a motion for reconsideration in part of the Court's May 24, 2024 Opinion & Order [ECF No. 103].

Pursuant to the Court's May 24, 2024 Opinion & Order, Plaintiff's May 28, 2024 Letter [ECF No. 104] indicating the City's intention to proceed without amendment, and Local Rule 6.3, Defendants' respective answers to the Amended Complaint and any motion for reconsideration are currently due on June 7, 2024.

Due to several conflicting deadlines and previously scheduled out-of-town depositions in other matters, counsel for Defendants require additional time to adequately address the nuanced subject matter in the Court's Opinion & Order and consult with Defendants to gather additional information necessary to file their answers to the Amended Complaint. The requested extension will provide sufficient time to allow counsel to accommodate the schedules of those out-of-state depositions unrelated to this matter. This is Defendants' first request for an extension, and the City consents to the request.

In the event that the Court grants the consented motion to extend the deadlines, the new deadline for the motion for reconsideration and for the filing of answers will be June 21, 2024, and the City's deadline to respond to the motion for reconsideration would be June 28, 2024.

If the above is satisfactory to the Court, Defendants respectfully request that the requested extensions of filing deadlines be "So Ordered."

*granted and
So Ordered
Louis L. Stanton
6/7/24*

Thank you for your attention to this matter.

Respectfully submitted,

/s/Eric N. Heyer

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